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Atty. Docket No.: P67552US0

REMARKS

This Amendment is being filed concurrently with a Request for Continued Examination (RCE).

A Final Office Action was mailed July 15, 2003, in response to which Applicants filed an Amendment Under Rule 1.116 on November 17, 2003 (hereinafter "Applicants' Rule 1.116 Amendment"). By Advisory Action mailed December 24, 2003, the Examiner indicated that Applicants' Rule 1.116 Amendment would be entered for purposes of appeal, and further acknowledged the cancellation of claims 16 and 18 set forth therein. Accordingly, it is Applicants' understanding that the amendments made to claims 15, 17 and 19 by Applicants' Rule 1.116 Amendment have been entered; if this understanding is not correct, entry of such amendments is hereby requested.

By this Amendment, claim 17 has been canceled, claim 15, 27 and 28 have been amended and new claims 29-31 have been added. Accordingly, claims 15 and 19-31 are pending in the application. In view of the above amendments and the following remarks, favorable reconsideration is respectfully requested.

Making reference to the Final Action in the Advisory Action mailed December 24, 2003, the Examiner rejected claims 15, 17 and 19-28 under 35 U.S.C. 103(a) as being unpatentable over

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Applicants' prior art disclosure in view of ordinary skill in the art. The Examiner also rejected claims 21, 22 and 26 under 35 U.S.C. 103(a) as being unpatentable over Applicants' prior art disclosure in view of EP 0 532 016 to Padden.

As set forth in amended claim 15, the present invention is directed to a connecting device used in an aircraft to connect a movable part of the aircraft with a structural component thereof. The connecting device includes at least one fitting that is made of a synthetic composite material according to a resin transfer molding method and includes a carbon fabric as a reinforcement element. The composite material is the same as a material from which the movable part is made, and the fitting is secured to the movable part by gluing. With this construction, the present invention reduces the demand on the connection between the fitting and the movable part in that both elements, being made of the same composite material, share a common thermal expansion coefficient. As a result, the fitting is suitable for connecting movable parts with structural components of airplanes or the like, where extremely high loads act on the movable parts and hence the fittings, necessitating that the fittings be especially stable and not prone to separation from the movable part due to shearing forces caused by thermal stresses.

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According to the description of the present application and as now claimed herein, the term "movable parts" serves to denote in particular spoilers, landing flaps, control surfaces, etc., which are required to control the airplane and to assist in the take-off, landing and moving procedures. In this field of technology it is neither well known nor obvious to use a synthetic material for the fitting and to secure the fitting to the movable part by gluing. Accordingly, and also pending Applicants' submission of further factual evidence of non-obviousness which is being prepared and/or compiled, Applicants request reconsideration of the conclusion that gluing and bolting are equivalent in the high-load airplane application in which the fitting and movable part are made of the same composite material as is currently being claimed.

Claim 27 as amended is directed to a fitting for connecting a movable part of an aircraft with a structural component of said aircraft, in which the movable part is a spoiler, a landing gear or a control surface, the fitting being made of the same composite material as the movable part and being connected to the movable part only by gluing. Again, the use of composite materials to form the movable part and fitting, the movable part as specifically defined being known to be subject to extremely high loading conditions, while relying only upon gluing

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therebetween is not reasonably suggested by the prior art.

Reconsideration is therefore requested.

Reconsideration of claim 28 is also requested. While the prior art shows a fitting and a movable part, these components are not traditionally made of composite material, nor of the same material. Therefore, being made of two different materials, it would not have been obvious according to prior art disclosures to form them integrally as suggested by the Examiner. With the present invention, however, in which the fitting and movable part are made of the same composite material, the two components may be "intregrally formed", i.e., produced in one piece as a single unit in a manner not suggested by the prior art (see the specification at page 5, fourth full paragraph).

New claim 30 is directed to the combination of a fitting and a movable part of an aircraft in which the fitting and the movable part are made of the same composite material so as to have the same thermal expansion coefficient, with the fitting being glued between upper and lower covering layers of the movable part. As defined in claims 29 and 31, the movable part is a spoiler, a landing flap or a control surface, each representing a part that is subject to high loading such that the use of gluing therewith cannot be said to be obvious.

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For at least the foregoing reasons, reconsideration and allowance of claims 15, 27, 28 and new claims 29-31 is requested.

Claims 19-26 are also in condition for allowance as claims properly dependent on an allowable base claim. Favorable consideration is requested.

Should the Examiner have any questions or comments, the Examiner is cordially invited to telephone the undersigned attorney so that the present application can receive an early Notice of Allowance.

Respectfully submitted,

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